

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9912 of 2024

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Laljhari Devi Wife of Ramavtar Ram Resident of village and Post - Saraindha
Kachnar, Police Station - Rivilganj, District - Saran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Secretary, State Election Commission, Bihar Sone Bhawan, Patna.
3. The District Magistrate -cum- District Election Officer (Panchayat), Saran, Chapra.
4. The Executive Officer -cum- Block Development Officer, Rivilganj Block, District - Saran, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ankit Kumar Singh, Advocate
For the Respondent/s	:	Mr. Revti Raman, AC to Standing Counsel (11)
For SEC	:	Mr. Ravi Ranjan, Advocate
		Mr. Girish Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-07-2024 Heard learned counsel for the petitioner as also the

State and the State Election Commission.

2. The present petition has been preferred for the
following reliefs:

*(i) for issuance of writ/s, order/s,
direction/s in the nature of mandamus
commanding and directing the Respondents
to immediately notify the date of election for
the post of Prakhanda Pramukh and Up
Pramukh of Rivilganj Block, District Saran,
Chapra forthwith, in the light of requisition
sent by District Magistrate, Saran vide*



Memo No. 779 dated 13.03.2024 as both the posts are vacant for a long time, causing inability in entire Block Development Work;

(ii) for further issue a direction especially to the Respondent No. 2 to notify the date of election and initiate the complete process of election within two weeks, as it is pending since a long time;

(iii) for further direction to the respondent to pay the cost of litigation a lump sum amount to the petitioner.

3. The matter relates to Rivilganj, Saran at Chapra were the post of the Pramukh and Up-Pramukh of Block, Rivilganj are now vacant after the no confidence motion was passed on 11.03.2024.

4. Subsequently, the District Magistrate, Saran at Chapra vide letter no. 779 dated 13.03.2024 requested the State Election Commission to fix a date for election of the Pramukh and Up-Pramukh.

5. Learned counsel for the petitioner submits that even after passage of three months, there is nothing on record to show that the District Magistrate, Saran at Chapra ever recalled that letter or any further letter has gone but the State Election Commission is sitting on the matter.

6. It is the State contention that if the District



Magistrate has made a request, the State Election Commission has to follow the same.

7. In that background, the writ petition stands disposed of with a direction to the State Election Commission, Bihar to immediately fix the date and communicate the same to the District Magistrate, Saran, so far as the election date of the Pramukh and Up-Pramukh of the Block-Rivilganj is concerned, if there is no stay/recall of the order of the said District Magistrate. This has to be done in next two weeks.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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